Supreme Court, U.S.
FILED

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No. _____

In The

SUPREME COURT OF THE UNITED STATES

♦

IN RE: HARRY VINSON
Petitioner

v.

MISSISSIPPI REAL ESTATE APPRAISAL LICENSING BOARD
Respondents

♦

On Petition For Writ Of Certiorari To The Supreme Court of Mississippi

♦

PETITION FOR WRIT OF CERTIORARI

♦

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in propria persona

10pp

QUESTION PRESENTED

Whether a secured U.S. Constitution XIV Amendment Right be removed by a non-judicial board without due process and equal protection of the law?

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PETITION FOR WRIT OF CERTIORARI

Petitioners Harry Vinson prays that a writ of certiorari issue to review the decision of the Mississippi Supreme Court entered 18 July 2000, rehear denied 8 August, 2000, wherein the court decided an important federal question, denial of life, liberty, property and pursuit of happiness in a way that conflicts with the Constitution and decisions of this court.

OPINIONS BELOW

IN RE: HARRY VINSON v. MISSISSIPPI REAL ESTATE APPRAISAL LICENSING BOARD NO. 2000-M-01057, Order denying rehear, 8 August, [App. 1]

IN RE: HARRY VINSON v. MISSISSIPPI REAL ESTATE APPRAISAL LICENSING BOARD No. 2000-M-01057, Order denying petition to set stay, 18 August 2000 [App. 2]

JURISDICTION

The court of last resort, The Supreme Court of Mississippi entered an order 8 August, 2000 denying Petitioner's petition for rehear. The jurisdiction of this court is invoked under USC § 1251(b)(2); U.S.A. Constitution Article III Section 2, *"in all cases...in which a state shall be party"*; Supreme Court of The United States Rule 10(a).

CONSTITUTIONAL PROVISIONS

USA Constitution Bill of Rights
AMENDMENT XIV ...

"All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

STATEMENT OF THE CASE

This matter involves the removal of a XIV Amendment secured Right i.e. ability to produce income, absent due process and equal protection of the law by a non-judicial board.

Petitioner was required to appear before the Mississippi Real Estate Appraisal Licensing and Certification Board, wherein his license was suspended 16 December 1999 without opportunity to have witnesses and evidence presented on his behalf, without opportunity for assistant of counsel and without a fair, competent and impartial judicial officer. In fact, Petitioner's Rights were taken and denied through fraud as the board did not follow Mississippi statutory procedure and through deceit and misrepresentation a hearing officer, a covert

assistant Mississippi attorney general, sat as hearing officer with an assistant attorney general being the prosecutor, all in violation of Mississippi Code Annotated §73-34-1 through §73-34-63. This decision was appealed pursuant to Mississippi law and is currently pending.

After appeal was perfected, the Mississippi Board of Real Estate Licensing and Certification Board, ensued in a campaign of retaliation by publishing through internet sources, and other publications that Petitioner's license was suspended and this caused Petitioner's loss of income and the issuance of other state licenses. These acts were done by the Mississippi Board of Real Estate Licensing and Certification Board, after they had lost all jurisdiction in the matter through the appeal process.

REASON FOR GRANTING THE PETITION FOR WRIT OF CERTIORARI

A. SUMMARY OF THE ARGUMENT:

Petitioner enjoys rights under the Constitution of The United States, especially the right to life, liberty, property and the pursuit of happiness, due process and equal protection of the law, and the expectation that the courts will always be open to him and that the court will adjudicate fairly and impartially the merits of his grievances.

B. ARGUMENT:

Petitioner made efforts through Petition to

Stay pursuant to Mississippi Law without requirement of supersedeas bond, as there was no money judgment. Petition to stay was denied as was petition to rehear by the Mississippi Supreme Court

The XIV Amendment applies to the states by and through the XIV Amendment. Pennhurst State School v Halderman, 465 U.S. 89.

Appeal being a matter of right, once perfected, jurisdiction is conveyed to the appellate court, Martin v U.S., 263 F.2d 516; Elfman Motors Inc v Chrysler Corp, 567 F.2d 1252; and Hanna v Plumber, 380 U.S. 460.

CONCLUSION

The Supreme Court of The United States has a duty and obligation to secure the citizen's constitutional Rights and to use its supervisory powers pursuant to U.S. Constitution Article III Section 1 & 2 to enforce XIV Amendment Rights upon the states. Therefore, this court should grant the writ of certiorari to secure petitioner's due process and equal protection of the law.

Respectfully submitted,
Harry Vinson
P. O. Box 791
New Albany, MS 38652
in propria persona

November 2000

IN THE SUPREME COURT OF MISSISSIPPI

No. 2000-M-01057

HARRY W. VINSON

v.

MISSISSIPPI REAL ESTATE APPRAISAL LICENSING AND CERTIFICATION BOARD

ORDER

This matter came before the undersigned Justice on the Petition for Rehear filed by Harry W. Vinson. Vinson had previously filed a Petition to Stay in this court, asking that the Mississippi real Estate Appraisal Licensing and Certification Board be prevented from releasing adverse information concerning Vinson's license while this case is on appeal in the Circuit Court of Union County. The Petition to Stay was denied by order dated July 18, 2000. Vinson now asks for reconsideration of this order. Under provisions of M.R.A.P. 27, such orders are not subject to rehearing or reconsideration on motion of a party. After due consideration the undersigned Justice finds the Petition for Rehear should be dismissed.

IT IS THEREFORE ORDERED that Petition for Rehear filed by Harry W. Vinson be and the same is hereby dismissed.

SO ORDERED, this the 8th day of August 2000.

/s/
James W. Smith, Jr. Justice

file date: 9 August 2000

IN THE SUPREME COURT OF MISSISSIPPI

No. 2000-M-01057

HARRY W. VINSON

v.

MISSISSIPPI REAL ESTATE APPRAISAL LICENSING AND CERTIFICATION BOARD

ORDER

This matter came before the undersigned Justice on the Petition to Stay filed by Harry W. Vinson, the Response filed by Steve Lawrence, Special Assistant Attorney General, and the Response and Objection filed by Vinson. Vinson asks that this Court prevent the Mississippi Real Estate Appraisal Licensing and Certification Board from releasing adverse information concerning Vinson's license while this case is on appeal in the Circuit Court of Union County. Vinson also ask for sanctions against Steve Lawrence. After due consideration the undersigned Justice finds that Petition for Stay and the request for sanctions are not well taken and should be denied.

IT IS THEREFORE ORDERED that Petition for Stay filed by Harry W. Vinson be and the same is hereby denied. It is further ordered that the request for sanctions against Steve Lawrence by and the same is hereby denied.

SO ORDERED, this the 18th day of July, 2000.

/s/
James W. Smith, Jr. Justice

file date: 19 July 2000